

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 22, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

ROY CASTILLO KNOEB, III,

Plaintiff,

v.

YAKIMA COUNTY DEPARTMENT
OF CORRECTIONS and
WASHINGTON CORRECTIONS
CENTER,

Defendants.

No. 1:24-CV-03019-MKD

ORDER DISMISSING ACTION FOR
FAILURE TO COMPLY WITH
FILING FEE/*IN FORMA PAUPERIS*
REQUIREMENTS

Plaintiff Roy Castillo Knoeb, III, a pretrial detainee currently housed at the Yakima County Jail, filed this *pro se* civil rights complaint on February 8, 2024. ECF No. 1. He did not pay the filing fee to commence this action as required by 28 U.S.C. § 1914. He also failed to present a completed application to proceed *in forma pauperis* or to comply with 28 U.S.C. § 1915(a)(2), which requires prisoners who seek to bring a civil action without prepayment of the filing fee to submit a certified

ORDER DISMISSING ACTION FOR FAILURE TO COMPLY WITH FILING
FEE/*IN FORMA PAUPERIS* REQUIREMENTS - 1

1 copy of their inmate account statement (or the institutional equivalent) for the six
2 months immediately preceding the filing of the complaint.

3 By letter dated February 8, 2024, the Clerk of Court directed Plaintiff to
4 complete and return the Acknowledgment and Authorization form provided and to
5 submit a certified statement of his inmate account (or institutional equivalent) for the
6 six months immediately preceding the submission of his complaint on February 8,
7 2024. ECF No. 3. In the alternative, the Clerk of Court directed Plaintiff to pay the
8 full \$405.00 filing fee (\$350.00 statutory filing fee, plus \$55. 00 administrative fee)
9 to commence this action. *Id.*

10 On March 14, 2024, this Court issued an Order to Comply with Filing Fee/*In*
11 *Forma Pauperis* Requirements. ECF No. 4. Plaintiff was ordered to submit a
12 completed Acknowledgment and Authorization (page 3 of the form Declaration and
13 Application to Proceed *In Forma Pauperis* By a Prisoner Bringing a Civil Rights
14 Action Pursuant to 42 U.S.C. § 1983), and provide a certified copy of his six-month
15 inmate trust account statement (or institutional equivalent) for the period
16 immediately preceding February 8, 2024. *Id.* at 2. In the alternative, Plaintiff was
17 instructed to pay the full \$405.00 filing fee. *Id.* Plaintiff was cautioned that his
18 failure to comply with the Order within thirty (30) days would result in the dismissal
19 of this case. *Id.* Plaintiff did not comply with these directives and has filed nothing
20 further in this action.

1 Accordingly, **IT IS ORDERED:**

2 1. For the reasons set forth above, and in the Court's prior Order, ECF
3 No. 4, this action is **DISMISSED WITHOUT PREJUDICE** for failure to comply
4 with the filing fee and *in forma pauperis* requirements of 28 U.S.C. §§ 1914 and
5 1915.

6 2. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal
7 of this Order would not be taken in good faith and would lack any arguable basis in
8 law or fact.

9 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
10 **enter judgment**, provide copies to Plaintiff, and **CLOSE** the file.

11 **DATED** April 22, 2024.

12 *s/Mary K. Dimke*
13 MARY K. DIMKE
14 UNITED STATES DISTRICT JUDGE
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